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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Bernhard BRAUNECKER et al.

Group Art Unit: 3662

Application No.: 10/560,432

Examiner: L. RATCLIFFE

Filed: January 30, 2006

Docket No.: 126300

For: OPTICAL INCLINOMETER

APPLICANTS' SEPARATE RECORD OF PERSONAL INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants appreciate the courtesies shown to Applicants' representative by Examiner Ratcliffe at the July 30, 2008 personal interview. Applicants' Separate Record of the Personal Interview is incorporated into the following remarks.

During the personal interview, Applicants' representative traversed the 35 U.S.C. §112, second paragraph rejection of claims 1-21. Applicants' arguments paralleled the arguments asserted in the Amendment filed June 30, 2008.

As agreed during the personal interview, the arguments provided in the June 30, 2008 Amendment overcome the rejection. Applicants thus respectfully request withdrawal of the rejection.

In addition, Applicants' representative traversed the 35 U.S.C. §102(b) rejection of claims 1, 3, 5-7, 10, 13-16, 18 and 21 over Neal et al. (U.S. Patent No. 6,184,974). Applicants' arguments paralleled the arguments presented in the Amendment filed June 30, 2008.

As argued during the personal interview, Neal does not teach or render obvious "an evaluation unit for determining an inclination," as recited in independent claims 1 and 13.

Therefore, for at least these reasons, independent claims 1 and 13 are patentable over Neal. Claims 3, 5-7, 10, 14-16, 18 and 21, which variously depend from independent claims 1 and 13, are also patentable for at least their dependency on independent claims 1 and 13, as well as for the additional features they recite. Applicants thus respectfully request withdrawal of the rejection.

In addition, Applicants' representative traversed the 35 U.S.C. §103(a) rejection over Neal in view of Kitajima (U.S. Patent No. 6,057,916). Applicants' representative's arguments paralleled the arguments presented in the Amendment filed June 30, 2008. For example, Applicants' representative argued that Neal and Kitajima cannot be combined because doing so would render the device in Neal unsatisfactory for its intended purpose. Applicants thus respectfully request withdrawal of the rejection.

Regarding claims 4, 11, 12, 17, 19 and 20, these claims are patentable over the applied references for at least the reasons discussed in the June 30, 2008 Amendment. Applicants thus respectfully request withdrawal of the rejections.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:PTM/rle

Date: July 31, 2008

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